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Customer No. 42798  
Attorney Docket No. 7392/84241

PCT #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re ADRIAN ENGELS et al.

Group Art Unit: Not Yet Assigned

Application No.: 10/522,905

Examiner: Not Yet Assigned

Filed: January 31, 2005

Customer No.: 42798

Confirmation No.: 4422

Attorney Docket No.: 7392/84241

Title: COATED FOOD PRODUCT

**SUBMISSION OF DECLARATION AND POWER OF ATTORNEY**

MAIL STOP PCT  
Commissioner for Patents  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22304

Sir:

Applicants submit herewith a Combined Declaration and Power of Attorney (with copy of the Specification) for the above-referenced application.

Please charge the \$130.00 surcharge fee to Deposit Account No. 06-1135, referencing Order No. 7392/84241.

The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This sheet is filed in duplicate.

08/03/2005 KWILLIAM 00000005 061135 10522905  
01 FC:1617 130.00 DA

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

Kendrew H. Colton  
Registration No. 30,368

Date: April 14, 2005

**OFFICIAL CORRESPONDENCE TO**  
**Customer No. 42798**  
**FITCH, EVEN, TABIN & FLANNERY**  
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**COMBINED DECLARATION AND POWER OF ATTORNEY**

(ORIGINAL DESIGN, NATIONAL STAGE OF PCT OR CIP APPLICATION)

As a below named inventor, I hereby declare that

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**Coated food product**

the specification of which: (complete (a), (b) or (c) for type of application)

**REGULAR OR DESIGN APPLICATION**

- a. ☐ is attached hereto.  
b. ☐ was filed on \_\_\_\_\_ as Application  
Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_  
(if applicable)

**PCT FILED APPLICATION ENTERING NATIONAL STAGE**

- c. ☒ was described and claimed in International application No. PCT/NL2003/000552  
filed on 31 July 2003  
and as amended on \_\_\_\_\_ (if any)

**ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, paragraph 1.56(a).

In compliance with this duty there is attached an information  
disclosure statement 37 CFR 1.97

**PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code paragraph 119 of any foreign application (s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent of inventor's certificate having a filing date before that of the application on which priority is claimed.

(complete (d) or (e))

- d. ☐ no such applications have been filed  
e. ☒ such applications have been filed as follows

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION**

Country	Application Number	Date of filing (day, month, year)	Date of Issue (day, month, year)	Priority claimed
Europe	02078141.5	31 July 2002		Yes
US	60/399,700	1 August 2002		Yes

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION**

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**CONTINUATION-IN-PART**

(Complete this part only if this is a continuation-in-part application)

I hereby declare claim the benefit under Title 35, United States code, paragraph 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claim of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, paragraph 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, paragraph 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) (Filing date) (Status) (patented, pending, abandoned)

(Application Serial No.) (Filing date) (Status) (patented, pending, abandoned)

**POWER OF ATTORNEY**

As a named inventor, I hereby appoint the following attorney(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Kendrew H. Colton, Registration No. 30,368, telephone (202) 419-7000, whom all communications about this application are to be directed, and the attorneys associated with Customer No 22242. Please direct all correspondence as follows:

Kendrew H. Colton  
Fitch, Even, Tabin & Flannery  
1801 K Street 401L  
Washington, D.C. 20006

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: ENGELS, Aaldrik

Inventor's signature

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Date 10-02-2005

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NLX

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Full name of second inventor: DOORN, Aloysius Lambertus

Inventor's signature

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